

Gregory G. Spaulding, Esq. (SBN 106606)
spaulding@smlaw.com
Lisa Ann Hilario, Esq. (SBN 148460)
hilarion@smlaw.com
SPAULDING McCULLOUGH & TANSIL LLP
90 South E Street, Suite 200
P.O. Box 1867
Santa Rosa, CA 95402
Telephone: (707) 524-1900
Facsimile: (707) 524-1906

Attorneys for Defendants COUNTY OF SONOMA, of which
SONOMA COUNTY SHERIFF'S DEPARTMENT
is a Department, SEAN MCDERMOTT, DOLORES ROBINSON,
RANDY NORTH, and PHILLIP LAWRENCE

David M. Poore, Esq. (SBN 192541)
dpooore@kahnbrownlaw.com
KAHN BROWN & POORE LLP
755 Baywood Drive, Suite 185
Petaluma, CA 94954
Telephone: (707) 763-7100
Facsimile: (707) 763-7180
Attorneys for Plaintiff BRIAN J. PATENAUDE

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

BRIAN J. PATENAUDE,
Plaintiff,

vs.

COUNTY OF SONOMA, SONOMA COUNTY
SHERIFF'S DEPARTMENT; SEAN
MCDERMOTT, DOLORES ROBINSON,
RANDY NORTH, PHILLIP LAWRENCE, and
DOES 1 to 10, inclusive,
Defendants.

Case No.: C 06 7783 MHP

JOINT STIPULATION AND ~~[PROPOSED]~~
ORDER TO CONTINUE INITIAL
DISCLOSURE DEADLINES

1 WHEREAS, a Case Management Conference in the above-captioned matter is currently set
2 for June 25, 2007 at 4:00 p.m., before this Court;

3 WHEREAS, on April 23, 2007, this Court ordered defendants County of Sonoma, of which
4 Sonoma County Sheriff's Department is a department, and County employees Sean McDermott,
5 Dolores Robinson, Randy North and Philip Lawrence (hereafter collectively referred to as
6 "Defendants") to file an answer and/or Rule 12 motion on or before May 8, 2007 (See, Joint
7 Stipulation and Order To Continue The Initial Case Management Conference And Re-Set Deadlines,
8 filed 4/23/07);

9 WHEREAS, Defendants filed a FRCP Rule 12(e) Motion for a More Definite Statement and
10 FRCP Rule 26 Motion for Stay of Discovery Pending Immunity Motions (hereafter referred to as
11 "Defendants' Motion") on May 8, 2007, with a hearing date of June 18, 2007;

12 WHEREAS, Defendants' Motion includes a request for a more definite statement of the
13 Complaint in order to evaluate potential immunities applicable to the County and the individual
14 County employees named in the Complaint;

15 WHEREAS, Defendants' Motion includes a request for a stay of discovery, including but not
16 limited to Rule 26 Disclosures, until the immunity defense analysis has been completed and a ruling
17 has been obtained on that issue;

18 WHEREAS, on May 14, 2007, the Court Clerk informed Defendants' counsel that this Court
19 would be vacating the hearing date for Defendants' Motion pending the June 25, 2007 Case
20 Management Conference, and that a briefing schedule for Defendants' Motion would be set at said
21 conference;

22 WHEREAS, this Court's April 23, 2007 order requires the parties to meet and confer
23 regarding initial disclosures by May 18, 2007 and to complete initial disclosures, state objections and
24 file/serve a Rule 26(f) report on or before June 11, 2007, both deadlines being before the hearing on
25 Defendants' motion requesting a stay of discovery pending a decision on the immunity motions;

26 WHEREAS, the parties agree that the foregoing constitutes good cause to vacate the deadline
27 to meet and confer regarding initial disclosures, vacate the deadline to complete initial disclosures,
28

1 state objections and file/serve a Rule 26(f) report, and set new deadlines at the Case Management
2 Conference when it is determined when Defendants' Motion will be heard;

3 NOW, THEREFORE, IT IS HEREBY STIPULATED and agreed by Plaintiff and
4 Defendants, through their respective attorneys of record, that the deadlines to meet and confer
5 regarding initial disclosures and to complete initial disclosures, state objections and file/serve a Rule
6 26(f) report be vacated pending the June 25, 2007 Case Management Conference. The parties
7 further stipulate that said deadlines be re-set at the Case Management Conference in conjunction
8 with determining the hearing date for Defendants' Motion.

9 IT IS SO STIPULATED.

10 DATED: SPAULDING McCULLOUGH & TANSIL LLP
11 Attorneys for Defendants COUNTY OF SONOMA, of
12 which SONOMA COUNTY SHERIFF'S
13 DEPARTMENT is a Department, SEAN
14 MCDERMOTT, DOLORES ROBINSON,
15 RANDY NORTH, and PHILLIP LAWRENCE

15 By: _____/s/
16 Lisa Ann Hilario

17 DATED: KAHN BROWN & POORE LLP
18 Attorneys for Plaintiff BRIAN PATENAUE

20 By: _____/s/
21 David M. Poore

23 *Filer's Attestation: I, Lisa Ann Hilario, am the ECF User whose identification and password*
24 *are being used to file this Joint Stipulation and [Proposed] Order. In compliance with General*
25 *Order 45.X.B, I hereby attest that David M. Poore concurs in this filing.*
26
27
28

ORDER

Having reviewed the Stipulation of the parties, and good cause appearing:

IT IS HEREBY ORDERED THAT the May 18, 2007 deadline to meet and confer regarding initial disclosures and the June 11, 2007 deadline to complete initial disclosures, state objections and file/serve Rule 26(f) report are vacated. The deadlines will be re-set at the June 25, 2007 Case Management Conference in conjunction with determining the hearing date for Defendants' Motion for a More Definite Statement and FRCP Rule 26 Motion for Stay of Discovery Pending Immunity Motions.

IT IS SO ORDERED.

Date: May 21, 2007

